

County of Santa Clara
Department of Environmental Health
Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716
 Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0254829 - LEE'S SANDWICHES		Site Address 990 STORY RD 30, SAN JOSE, CA 95122		Inspection Date 09/04/2024	
Program PR0371964 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LALUAN HUYNH		Inspection Time 13:45 - 15:10
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By TUC	FSC Vy Nguyen 06/01/2029		

Placard Color & Score
GREEN
71

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
K02 Communicable disease; reporting/restriction/exclusion	X						
K03 No discharge from eyes, nose, mouth	X						S
K04 Proper eating, tasting, drinking, tobacco use			X				N
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible			X				
K07 Proper hot and cold holding temperatures			X				
K08 Time as a public health control; procedures & records		X		X			N
K09 Proper cooling methods					X		
K10 Proper cooking time & temperatures					X		
K11 Proper reheating procedures for hot holding					X		
K12 Returned and reservice of food	X						
K13 Food in good condition, safe, unadulterated			X	X			
K14 Food contact surfaces clean, sanitized	X						
K15 Food obtained from approved source	X						
K16 Compliance with shell stock tags, condition, display						X	
K17 Compliance with Gulf Oyster Regulations						X	
K18 Compliance with variance/ROP/HACCP Plan						X	
K19 Consumer advisory for raw or undercooked foods						X	
K20 Licensed health care facilities/schools: prohibited foods not being offered						X	
K21 Hot and cold water available	X						
K22 Sewage and wastewater properly disposed	X						
K23 No rodents, insects, birds, or animals			X				

GOOD RETAIL PRACTICES	OUT	COS
K24 Person in charge present and performing duties		
K25 Proper personal cleanliness and hair restraints		
K26 Approved thawing methods used; frozen food		
K27 Food separated and protected		
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used		
K30 Food storage: food storage containers identified		
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented	X	
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
K36 Equipment, utensils, linens: Proper storage and use		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored		
K41 Plumbing approved, installed, in good repair; proper backflow devices		
K42 Garbage & refuse properly disposed; facilities maintained		
K43 Toilet facilities: properly constructed, supplied, cleaned		
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		X
K45 Floor, walls, ceilings: built, maintained, clean		X
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: PHF items maintained at the front counter by the cashier, counter for customer self-service, and inside the hot display unit subjected to time as a public health control, were not labeled.

Boba maintained at the beverage preparation refrigerator subjected to time as a public health control, not labeled.

Employee stated that all items are discarded after 3 hours and time is kept based on the shift.

[CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.

[COS] Employee provided labels indicating that items are to be discarded after 3 hours.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employees' personal beverages observed stored in areas of food preparation.

Employee's personal container of grapes observed stored above the inserts of the food preparation refrigerator.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and/or beverages.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Hand wash station by the beverage preparation area observed obstructed with a plastic white bucket inside the wash basin.

Employee removed obstruction.

Hand wash station in the kitchen by the ice machine obstructed with water filter inside the wash basin.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Numerous PHF items, pate, Vietnamese mayonnaise, sliced ham, etc. maintained at the top insert of the sandwich preparation refrigerator measured between 44F to 46F.

Numerous PHF items maintained at the outer edges near the door of the walk-in refrigerator measured between 44F to 45F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

K13 - 3 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: Observed 5 small to-go containers of spareribs and one small container of braised fish with white mold like growth.

[CA] Moldy food shall be removed immediately from use.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

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Inspector Observations: 2+ dead cockroaches observed on floor at the dry storage area next to the bread proofing refrigerators, underneath the dry storage rack. 1 dead cockroach observed on floor next to the water heater. No other activity was observed.

[CA] Clean and sanitize area of dead cockroaches or old droppings.

Observed 3+ live flies throughout the facility.

[CA] Use any and all approved methods to abate live flies.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: Numerous prepackaged snacks maintained out for customer self-service lack complete labels.

[CA] Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: Side door of the facility maintained wide opened at time of inspection.

[CA] Keep door closed at all times to prevent the entrance and harborage of vermin.

Observed employees' personal belongings, cellphones, jackets, purses, stored in areas of food storage and/or food preparation.

[CA] No person shall store clothing or personal effects (cell phone, car keys, and jackets) in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Heavy build up of grease and food debris observed on the floor of the cook line.

Heady build up of grease and flour observed on floor by the dough preparation area.

[CA] Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.

Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Time as a public health control; procedures & records.

Measured Observations

Item	Location	Measurement	Comments
Pork belly	Hot holding unit	142.00 Fahrenheit	
Sliced head cheese	Sandwich preparation refrigerator	40.00 Fahrenheit	
To-go containers of soup	Walk-in refrigerator	41.00 Fahrenheit	
Milk	Three-door reach-in refrigerator	39.00 Fahrenheit	
Sliced tomatoes	Sandwich preparation refrigerator	41.00 Fahrenheit	
Quaternary ammonia	Three-compartment sink	200.00 PPM	
Steamed egg cake	Walk-in refrigerator	41.00 Fahrenheit	
Cut pork belly	Sandwich preparation refrigerator	39.00 Fahrenheit	
Hot water	Three-compartment sink - back kitchen	123.00 Fahrenheit	
Warm water	Hand wash sinks	107.00 Fahrenheit	
Cooked pork	Hot holding unit	173.00 Fahrenheit	
Cooked pork belly	Two-door reach-in refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink - beverage prep	121.00 Fahrenheit	
Cooked shrimp	Two-door reach-in refrigerator	40.00 Fahrenheit	
Cooked vermicelli	Two-door reach-in refrigerator	41.00 Fahrenheit	

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Overall Comments:

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **9/18/2024**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control



Received By: Vy N.
Manager

Signed On: September 04, 2024